App. F. IX-4

*Previous References* 1928-29 ( Prison

**File No.** 32-2

**Serial I'**

*Later References*
Prisons file 32-28. 10
Cls 168-28, 1-9.

# General and Revenue Secretariat.

*Serial Nos.* four

**Part B for** Septr 1928.

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SUBJECT.

Receiving of British Indian Prisoners in the Mysore Jail and their release therefrom.

---

Sls 4. To The I. G. of Prisons.

vG. 4031 dt 26.9.28

States that the revaluation of the work of under rule 473 of the Madras Jail Manual have no plication to the Mysore State & that the reception detention of such prisoners in the jails of the State

4060 ಫ್ಯಾ/P

672 (1)

App. F. III—2]

General and Revenue Secretariat. Mysore File No. 32 of 1928

No. From the Inspector General of Prisons in Mysore

No C. 8-27.3 d /4.2-28

State that two prisoners who are residents of Ranjan village Bengapa Taluka were received from the Jail of the Central Provinces that one of them is ordered to the Mysore Jail the other to the Central Jail Bangalore and Requests that urgent orders of Govt in the matter of Receiving such prisoners and releasing them on mediate may be obtained and communicated for forthwith guidance of the Superdt.

Submitted for orders

DS 4 Jan 28 Herewith Previous remarks

Sd/-

Serial No.

above has probably been passed in consultation with the Mysore Govt. Perhaps there is some general understanding as to release of prisoners in cases of this kind. ~~Perhaps~~ The correspondence on this subject, ~~if~~ if any, may be kindly looked up.

22/2

(Prisons Section)

No Correspondence is traceable on the Subject in the Prisons Section

22/2 Br. Br.

2. Please see the letter of the G.G. of India C.P., in the linked file in which reference is made to a Govt. of India Resolution of August 1904 on the subject. It is likely that this Resolution has been communicated to the Mysore Govt. through the Residency and some action has been taken on it. The Resolution cannot be connected papers may be kindly traced & put up.

23/2

Asstt Secy (Genl. Br. with compliments)

Br. Please put up

26/2

1060 1705 (3

App. F. III—2

General and Revenue Secretariat. | File No. of 192 .

erial No.

Subject. The Resolution of 1904 is to ... in Pwars file no 22 of 1904-05 but Collection has been destroyed. ... Secretariat file register is put up. Vide (page 2). It is seen from the extract that the Resolution not applicable only to Bo-Dr Rly and ... this information the file may be sent to the Law Secretary

KP 12/3

12/3 Law Secretary KP

12 Please put up the Gazette of India containing the Govt of India Resolution no 445-45 dt. 2-8-1904.

12 15/3

Send with the Gazette of India for July to Aug 1904. The order of 8.8.1907 is not

14/3/28 14 Is the present Section not been able to furnish necessary reply, the Govt Pleaders may be asked how the practice came into to be in what authority. 2

5278
4863

(4

App. F. III—2]

General and Revenue Secretariat. File No. 32 of 1928.

| erial No. | |
|---|---|
| 16) | Send with a draft. |
| | 26/3/28 17 Issued 26/3 |
| 2 | To the Dy C of Prisons Nos 5616 dt 28.3.28 Requests to intimate when and under what authority the practice of the transfer of the Mysore subjects sentenced to imprisonment by Courts in Br India to the Mysore Jails for being released came into vogue |
| 3 | from the D. C. of Prisons No 827—14 d 26—4—28 States that Mysore subjects sentenced to imprisonment by courts in Br. India are transferred to a jail in the State a few days prior to their expiry their term in the authority of Govt of India Resolution No 446—458 d 8—August 1904 and also rule 479 of the Madras jail Manual in case of prisoners for Madras pending — and that the practice is in vogue since the above Govt of India order, Send for perusal. The D. C. of Prisons may perhaps be requested to send a copy of Govt of India order of 1904 if available & referred. ref para 1a |
| 18) | Mecca 28/4/28 Yes in 20 |
| 20 | draft sent Mecca 30/4/28 21 Issued |

General and Revenue Secretariat. | No. File No. of 192

Serial No.

Letter no 6687 of 2-5-28 to the Inspector General of Prisons Coorg forwarding a copy of the Govt of India Resolution no 446-4558 8/8/19 referred to therein.

Letter no 827-20 of 30-6-28 from the Inspector General of Prisons forwarding a copy of the Govt of India Resolution 446-458 8/8/19 04 together with copy of letter no 15857 of 23/6/28 addressed thereto by the Inspector General of Prisons Q.P. in the matter of the transfer of one Lingaiah a prisoner of the Ramnad jail to the Bangalore Central jail.

Called with reference to para 14. page 3 of the note——

2/7. The Govt of India have addressed the Govts of Madras Bombay Bengal United Provinces Punjab Burma Bihar & Orissa Central Provinces Assam North West Frontier Province Delhi Ajmer Merwara Coorg Andaman Islands and Baluchistan and the Political Agencies of Rajputana Central India Gwalior Kathiawar Baroda Hyderabad Mysore Travancore Cochin Kashmir Bikaner Jodhpur Jaipur Kolhapur Sandur Cutch Bhopal Rewa Kuch Behar Tripura Manipur Sikkim Khasi Hills Jaintia Hills Naga Hills and Lushai Hills and Chief Commissioner

erial
No.

S. S. Coy and that four or five prisoners (including the one referred to in the 4th) have been so received in the State since that date. The request for general orders to receive such prisoners. But no such order can be passed as the prisons in Mysore are meant only for the prisoners in the territories of Mysore (Please see S. 4 of the Prisons Act, 1870) And the Govt. of India Resolution referred to authorising the transfer of prisoners from one province ~~in British~~ to another in British India has no application to Mysore. ~~The Resolution~~ ~~recognises the practice of receiving such prisoners~~ the practice of receiving such prisoners into Jails in Mysore and releasing them there upon the expiry of their term of imprisonment appears therefore to be unauthorised. This matter may perhaps be brought to the notice of the Residency so that this practice may cease. It is necessary, however that the Mysore police should be apprised of the arrival of such released convicts from British India. The Govt. may be

necessary action in communication with the Br. Indian police, if proper arrangements have not already been made for the purpose.

Secy)

Genl Staff
with Compts.

Please put up a draft to the Residency about A

29/7

~~Draft sent~~ to the D.G.P.
Pl. act as personally directed
& draft sent.

Please put up type draft as revised

4/8

The previous references have been traced, but the connected files are not available as they have been destroyed. Extracts of the file register have been put up.

As early as 1908 the D.C. has been informed that the transfers of such prisoners to the Jails in the State is not authorized. In these circumstances no reference apparently the D.C. Surat has lost sight of this letter & discussed this matter, can the Asst. Secy Protocol Br; ~~agree~~. No reference to the Residency as suggested by him at para. 4 seem to be necessary. A draft reply to the D.C. of Prisons is put up.

For favour of remarks

Protocol Br) 5/9

The draft proposed terms omitted

Pol. Br) 5/9

Serial No.

draft for perusal before issue

Secy
6/9

U.S. (Secy)

Please speak to me

Rg
12/9/28

Short term Secy. Issue draft

Secy
25/9

To the G.O.I. Prisons

No 41031 dt 26.9.192

States that the resolution
the Govt of India and Rule 473
the Madras Jail Manual have n
application to the Mysore State an
that the reception and detention
such prisoners in the jails of the Sta
are unauthorised and should

15
K KB 27/9
27/9

No. 827-5 Office of the Inspector-General of Prisons
C. Exec. one in Mysore,

Dated Bangalore, 14th Febry: 1928.

From

The Inspector-General of Prisons
in Mysore, Bangalore.

To

The General Secretary to the Government
of H.H. the Maharaja of Mysore,
Bangalore.

Sir,

In forwarding herewith, for favour of your information, copies of letters Nos. 2181/E.36 and 2554/E.36 dated 31st January and 4th February 1928 respectively, from the Inspector-General of Prisons, United Provinces, Lucknow, I have the honour to state that the inhabitants of the Mysore State who are sentenced by the British Magistracy outside the State and are undergoing imprisonment in the British Jails are usually transferred for being released to a Jail or a Lock-up in the State to which the prisoner's native place is nearer as per rules in vogue in British India.

What is the Convention for this purchase? 2-

In the present instance two such prisoners who are said to be the residents of Ganjam Village, Seringapatam Taluk are received from the Jails of the United Provinces. Of the two convicts one is ordered to be admitted to the Mysore Jail and the other being a Juvenile, to the Central Jail, Bangalore

I request that a general order of Government in the matter of receiving such prisoners and releasing them on due dates may kindly be obtained and communicated for future guidance of the Superintendents.

I have the honour to be,
Sir,
Your most obedient servant,
M Kumar

Letter No. 2181/E.36 dated31st January 1928 from the Inspector-General of Prisons , United Provinces, Lucknow, to the Inspector-General of Prisons in Mysore, Bangalore.

-*-*-*-*-

I have the honour to request that the name of the Jail may kindly be intimated to which convict Kishen, a residen of Village Ganjam, Mysore State, may be transferred.

Roll of the convict is herewith forwarded for referenc

-*-*-*-*-*-*-*-*-*-*-*-

2.

Letter No. 2554/E.36 dated 4th February 1928 from the Inspector-General of Prisons, United Provinces, Lucknow, to the Inspector-General of Prisons in Mysore, Bangalore.

-*-*-*-*-*-

I have the honour to request the favour of being informed of the name of the Jail to which the convict whose roll is enclosed may be sent.

-@-@-@-@-@-@-@-@-@-@-@-@-@-@-@-@-@-@ @ @

" C O P I E S "

INSPECTOR-GENERAL OF PRISONS.

14/2/28

G. 82. 7199

No. C. 822-5 / 62-28(1) Part. one

Office of the Inspector-General of Prisons in Mysore,

Dated Bangalore, 28th February 1928.

From

The Inspector-General of Prisons in Mysore, Bangalore.

To

The General Secretary to the Government of H.H. the Maharaja of Mysore, Bangalore.

Sir,

In continuation of my letter No.C.827-3 dated 1[illegible] I have the honour to forward herewith, for the informati[illegible] Government, copy of letter No. 3937 dated 22nd February [illegible] from the Inspector-General of Prisons, United Provinces, connection with the transfer to the Mysore Jail of a pri[illegible] from the District Jail at Jaunpur, United Provinces.

I have the honour to be,

Sir,

Your most obedient servant,

Inspector-General of Prisons.

Letter No. 3937/E.36 dated 22nd February 1928 from the Inspector-General of Prisons United Provinces, to the Inspec -General of Prisons in Mysore, B'lore.

-*-*-*-*-*-*-

With reference to your letter No.C.822-2 dated 4th Feb.2 I have the honqur to inform you that I have, under Governmen of India Resolution No. 446-458 dated the 8th August 1904, ordered the transfer of P.R.prisoner from the District Jail at Jaunpur to the Mysore.

-*-*-*-*-*-*-*-*-*-*-

" C O P Y "

Inspector-General of Prisons.

28th February 1928.

SUBJECT.....

.....

.....

Section Pri

File No. 32-28

Serial No. 2

*Diary No. of letter replied to*.....

No. 5616

General and Revenue Secretariat

( )

*the* *192*

To The Inspector General of Prisons

Date of issue 28/2/28

Signed by

Sir

With reference to your letter no C 827-3 dt 14-2-28 I am directed to request you to kindly intimate when and under what authority the practice of the transfer of the mysore subjects sentenced to imprisonment by the Courts in British India to the mysore jails for being released came into vogue

I have etc

List of enclosures.....

Copied by

Examined by .....

S 270
P D

Office of the Inspector-General of Prisons
in Mysore,
Dated Bangalore, 26th April 1928.

C.827-14

Pri 32-28-2

From

The Inspector-General of Prisons
in Mysore, Bangalore.

To

The Secretary to the Government of H.H. the
Maharaja of Mysore, Law Department
Bangalore.,

Sir:

With reference to your letter No.P.5616/ts. dat 28th March 1928, I have the honour to state that Mysore subjects sentenced to imprisonment by Courts in British In are transferred to a Jail in the State a few days previou to the expiry of their term on the authority of Governmer of India Resolution No. 446-458 dated 8th August 1904 and also as per Rule 473 of the Madras Jail Manual in case of prisoners from the Presidency of Madras. This practice i in vogue since the above said order of Govt: of India can into operation in the British Jails; but the number of su prisoners received into the State during this whole perio is only three or four.

I have the honour to be,
Sir,
Your most obedient servant,

Inspector-General of Prisons.

SUBJECT.....

.....

.....

*Diary No. of letter replied to*.....

General and Revenue Secretariat

( ) –

*the* 192

Date of issue 2/5/28

Signed by M. N.S

List of enclosures.....

Copied by .....

Examined by .....

Section

File No.

Serial No.

No. 6887

To The I.G. of Prisons

Sir,

With reference to t
~~correspondence ending with~~
your letter no C 827-44
d 26/4/28, I am directe
request that a copy of
Govt of India Resolution
No 4726-48 d 8th Augus
1904, referred to therein
may kindly be sent
for reference, if availab

I have etc

To

The Secretary to the Gove rnment of H. H. the
Maharaja of Mysore, Law Department,
Bangalore.

Sir,

With reference to your letter No. P. 6687/Cts. dated 2nd May 1928, I have the honour to forward herewith, a copy of the Government of India Resolution No. 446-458 dated 8th August 1904 together with a copy of letter No.15857 dated 23rd June 1928 addressed to me by the Inspector-General of Prisons United Provinces, Lucknow in the matter of the transfer to the Bangalore Central Jail of a prisoner by name A Lingaiya of the Banarese Jail. I request that you will be so good as to obtain the orders of Government for receiving the said prisoner and also to issue a general Standing order in respect of dealing with such prisoner in future.

I have the honour to be,
Sir,
Your most obedient serv

Letter No. 15857 of 1928 dated 23rd June 1928 from the Inspector-General of Prisons United Provinces, Lucknow, to th Inspector-General of Prisons in Mysore, Bangalore.

-*-*-*-*-*-

I have the honour to inform you that I have, under Governm of India Resolution No. 446-458, dated the 8th August 1904, ordered the transfer of one P.R. prisoner from the District Jail at Benarese to the Bangalore Jail.

2. The nominal roll of the prisoner is enclosed.

-*-*-*-*-*-*-*-*-*-*-*-*-

" C O P Y "

GOVERNMENT OF INDIA.

Home Department.

Jails.

Simla the 8th August 1904.

# R E S O L U T I O N.

By the provisions of section 29(1) of the Prisons Act 1900 (111 of 1900), as amended by the Repealing and Amending Act, 1903 (1 of 1903), the Governor General in Council is empowered to provide by general or special order for the removal of prisoners from the prisons of one Province to those of any other in British India, but in the absence of general rules under sub clause (1) inter - provincial transfers have hitherto been made only by the Special Order of the Government of India in each case. The removal of prisoners from one Province to another may be rendered necessary by a variety of causes, but experience has shown that, in by far the larger number of such cases the transfer is made, because, having regard to the character of the prisoner or of the class or tribe to which he belongs, it is desirable to release him as near as possible to his native place where his antecidents are known and where a closer watch can be kept upon his movements after release than it would otherwise be possible to maintain. It is evident that in such cases the local authorities alone are in a position to judge of the position for the transfer and since the assent of the Governor General in Council is given as a matter of course, the existing procedure gives rise to much routine correspondence of which it is highly desirable that both the supreme and the local Governments should be relieved.

2. The Government of India have for some time had under their consideration the question of framing in exercise of the powers vested in them by Section 29 (i) of the Act, such general orders as would effect the desired end and in the Circular letters noted on the margin the opinions of Local Governments and Administrations were invited with the object of ascertaining

there were any special points for which it was desirable to provi

Letter to the Govt: of Madras No.376 dated 14-5-1903.
Letter to the Govt: of Bombay No.377 dated 14-5-1903.
-do- -do- of Bengal No. 378 dated 14-5-03.
-do- -do- of the United Provinces No. 379 dated 14-5-1903
-do- -do- of the Punjab No. 402 dated 20-5-1903.
-do- -do- of Burma No. 380 dated 14-5-1903
-do- to the Chief Commissioner, Central Provinces No. 381 dated 14-5-1903.
-do- -do- of Assam No. 382 dated 14-5-1903
-do- -do- of Coorg No. 383 dated -do-
Endorsement to the Chief Commissioner North-West Frontier Provinces No. 403 dated 20-5-1903.

in order to meet the circumstances of particular pr Provinces.

3. The Govt India have gi their most ca ful considera tion to the suggestions which have been made, and they are now pleased to direct that the transfer of prisoners from Province to Province shall in future be made in accordance with the general rules whic are attached to this Resolution. In communicating these orders to the Local Governments concerned, they desire to add the following remarks on the more important of the points raised.

4. It has been suggested by some of the authorities consulted that it would be desirable to appoint in each province one or more prisons as Receiving Depots for prisoners transferred from other Provinces. The Government of India agree with the Governments of Bombay and Bengal that, if this arrangement were insisted on in every Province, it would probably give rise to difficulty in practice, but they have so framed the rules as to enable a Local Government to appoint any Prison as a receiving Depot, should this be considered the more convenient course. The Government of Madras desire that previous intimation should be given when prisoners are removed from Plague-infected areas. This is a matter which, in the opinion of the Government of India, can best be provided for by the Jail authorities of the dispatching and receiving Provinces. They have omitted it from the General orders now issued.

5. The suggestion of the Government of the United Provinces that in cases of transfer otherwise than for release the Local

isoner should be previously consulted has been accepted by the
vernment of India and the rules have been framed accordingly.
Government of Bombay revert to a proposal made in December
09, that Criminals on the expiry of the period allowed for
eal, or on rejection of their appeal should be at-once
nsferred to their Districts to serve their sentences. The
gestion was considered and rejected by the Government of
ia in their resolution Nos.314-5 of 24th July 1900 and in
ir opinion, no sufficient reason has been advanced for a
onsideration of that decision.

5. In the North-west Frontier Province the Conditions
Prison Administration are such as to necessitate the transfer
prisoners from the Jails of that Province to those of the
jab and "vice versa", more frequently and on a larger scale
n is the case elsewhere. The Jails of the North-west Frontier
vince are un-avoidably dependent on those of the Punjab both
a supply of convict officers, menials and the like and for
mmodation for long-term and life prisoners or for short term
oners whose transfer is necessary to prevent over-crowding
ho for other special reasons cannot be detained in the Jails
heir native Districts. Transfers of the latter class have
provided for by the terms of Rule II of the Annexed Rules and
e of the former by the Special provisions of Rule III.

6. It was suggested, at an early stage of the discussion
his subject that the authority to direct transfers from the
s of one province to those of another should be delegated to
Provincial Inspector-General of Prisons. The Government of
were at first disposed to think that the delegation of power
ld not be extended lower than the Local Government, but on
ier consideration they have modified their views on the point.
dingly in framing the rules the Inspector-General has been
oned as the transferring authority except in Rule IV providin
he transfer of Military prisoners. In such cases the Governo
al in Council considers it desirable that the Correspondence
e subject should be conducted by the Local Governments concer

concerned.

Order . - Ordered that a copy of this Resolution be forwarded to all Local Governments and Administrations and the Foreign and Military Departments for information and guidance.

H.H. Risley,

Secretary to the Govt: of India.

General Orders by the Governor General in Council under Section 29 (1) of the Prisoners Act, 1900 (III of 1900) as amended by the Repealing and Amending Act 1903 ( I of 1903

-*-*-*-*-*-*-*-

(1) Any prisoner belonging to any of the following classes :- (a) Members of Criminal tribes and Police registered criminals not being natives of the province in which they are undergoing sentence.

(b) Ex. Military Policemen of the Burma Military Police, and prisoners being natives of India, undergoing sentence in Burma, who are, or at the time of their trial were subject to the Indian Articles of War (Act V of 1869)

(c) Followers of the Burma Military Police, who have been recruited in India and are undergoing sentence in Burma, may be removed by order of the Inspector-General of Prisons of the Province in which he has been undergoing sentence at any time not exceeding two months prior to his release either to the prison of the District to which he belongs or to the prison nearest to his native place. Notice shall in each case be given to the Inspector-General of Prisons of the Province to which a prisoner is removed.

Provided that if a Local Government appoints any prison or prisons as receiving Depots for prisoners removed from other Provinces, orders under this Rule shall in each case direct that the prisoner be removed to each prison.

II Any prisoner whose detention in a prison of the Province in which he is undergoing sentence is deemed inexpedi

may be removed with the previous consent of the Inspector-General of Prisons of the Province to which it is proposed to remove him.

III. Any prisoner undergoing sentence in a prison in the Punjab, whose services by reason of his possessing special qualifications or a knowledge of special trades are required for ~~purpp~~ purposes of Prison Administration in the North-west Frontier Province, may be removed to any Prison in the North-west Forntier Province by order of the Inspector-General of Prisons of the Punjab.

IV. Any European Military or Ex- Military prisoner, undergoing a sentence imposed by a Civil Court whom it is intended to remove from India, may be removed by order of the Local Government of the Province in which he has been undergoing sentence, at any time not exceeding three months prior to his release to a prison at the post from which it proposed that he should embark

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C I R C U L A R.

No. 2 dated 15th November 1904.

Office of ~~the~~-Inspector-General of Prisons,

United Provinces,

Dated Lucknow the, November 1904.

Copy of the above is forwarded to all Superintendents of Jails, United Provinces, for information and guidance.

2. Necessary correction slip to the Jail Manual will be issued later on.

R.R. Weir - M.B.
Lieutenant Colonel, I.M.S.,
Offg: Inspector-General of Prisons

PRISONERS selected for transfer from the [illegible] Jail at [illegible] to the [illegible] Jail at [illegible]

| 4 | 5 | 6 | 7 | 8 | | | | | 9 | 10 | | | 11 | 12 | 13 | 14 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| B : Habitual) Name | Age | Caste | Crime Section | Sentence | | | | | Sentencing authority | Unexpired period of sentence after deducting remission earned | | | Cause of transfer | Character in Jail | Condition of health and if fit to undertake the journey | Remarks |
| | | | | Date | Nature | Period | | | | Y. | M. | D. | | | | |
| | | | | | | Y. | M. | D. | | | | | | | | |
| [illegible] | [illegible] | [illegible] | [illegible] | [illegible] | [illegible] | [illegible] | [illegible] | [illegible] | [illegible] | [illegible] | [illegible] | [illegible] | [illegible] | [illegible] | [illegible] | [illegible] |

Forwarded to the Inspector-General of Prisons, U. P. Lucknow, for sanction.

Jailor.

Superintendent

o. 40: ised) copies. } 12-11-1923 V. C. P. P.

*LL OF PRISONERS selected for transfer from the _____ Jail at _____ to the _____ Jail*

| 2 | 3 | 4 | 5 | 6 | 7 | 8 | | | 9 | 10 | 11 | 1 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Register No. | Class (A or B. A.: Casual B: Habitual) | Name | Age | Caste | Crime Section | Sentence | | | Sentencing authority | Unexpired period of sentence after deducting remission earned | Cause of transfer | Char in J |
| | | | | | | Date | Nature | Period | | | | |
| | | | | | | | | Y. M. D. | | Y. M. D. | | |

NOTE.— In case of transfer of prisoners to other Provinces, the residence of the prisoners viz., Village, Thana and District should be given in co

The Inspector-General

of Prisons in Mysore,

BANGALORE.

Sir,

With reference to the correspondence ending with your letter No. C.827-20, dated the 30th June 1923 in the matter of transfers of prisoners, who are subjects of the State but who have been convicted in British India and undergoing sentences in the jails in the British India, to the jails here a few days prior to the expiry of their term, I am directed to refer to this office letter No. Pris.70-07-2, dated the 26th May 1908 to state that the resolution of the Government of India and Rule 473 of the Madras Jail Manual referred to by you have no application to Mysore State. The reception and detention of such prisoners in the jails at Bangalore unauthorised should be discontinued.